

Ind. Code § 35-44-1-5. Sexual misconduct by service provider with detainee

(a) As used in this section, "service provider" means a public servant or other person employed by a governmental entity or another person who provides goods or services to a person who is subject to lawful detention.

(b) A service provider who knowingly or intentionally engages in sexual intercourse or deviate sexual conduct with a person who is subject to lawful detention commits sexual misconduct, a Class D felony.

(c) It is not a defense that an act described in subsection (b) was consensual.

(d) This section does not apply to sexual intercourse or deviate sexual conduct between spouses.